

7. An inspection of the subject lot by the Municipal Planning Office, disclosed that it was in conformance with the conditions of prior BZA Order No. 11109.

8. There was no opposition at the public hearing to the granting of the application. There was a letter of record, from Eton Towers Joint Venture of 1239 Vermont Avenue, N.W., in favor of the application.

9. The Municipal Planning Office, by report dated February 10, 1978, recommended approval of the application on the grounds that the parking facility was not likely to become objectionable to nearby or adjoining property nor would it adversely affect the present character or future development of this neighborhood and the Board so finds.

10. Advisory Neighborhood Commission 2C filed no recommendation on the application.

11. The application was referred to the Department of Transportation on January 9, 1978, for its review and report. No report from the Department was received.

CONCLUSIONS OF LAW:

Based on the record the Board concludes that the continued use of this parking facility is not likely to become objectionable to nearby or adjoining property nor will it adversely affect the present character or future development of this neighborhood. The lot is relatively small, well maintained and reasonably necessary to the operation of the hotel it serves. Accordingly, it is ORDERED that the application is GRANTED SUBJECT to the following conditions:


- a. Approval shall be for a period of FIVE YEARS which shall be subject to renewal in the discretion of the Board upon the filing of a new appeal in the manner prescribed by the Zoning Regulations.

- b. All areas devoted to driveways, access lanes, and parking areas shall be maintained with a paving of material forming an all-weather impervious surface.
- c. An eight (8) inch coping shall be erected and maintained along each side of all driveways to protect the public space.
- d. Bumper stops shall be erected and maintained for the protection of all adjoining buildings.
- e. No vehicle or any part thereof shall be permitted to project over any lot or building line or on or over the public space.
- f. All parts of the lot shall be kept free of refuse or debris and shall be paved or landscaped. Landscaping shall be maintained in a healthy growing condition and in a neat and orderly appearance.
- g. No other use shall be conducted from or upon the premises and no structure other than an attendant's shelter shall be erected or used upon the premises unless such use or structures or otherwise permitted in the zoning district in which the parking lot is located.
- h. Any lighting used to illuminate the parking lot or its accessory building shall be so arranged that all direct rays of such lighting are confined to the surface of the parking lot.

VOTE: 5-0 (Charles R. Norris, John G. Parsons, William F. McIntosh, Chloethiel Woodard Smith and Leonard L. McCants).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY: _____


STEVEN E. SHER
Executive Director

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.

FINAL DATE OF ORDER: 7 MAR 1978